ANNUAL INDEX, VOL. 41, 1986

All information is cited according to the number corresponding to the month of issue (1 for March, 2 for June, 3 for September, and 4 for December), followed by the page numbers.

TABLE OF LEADING ARTICLES

Arbitration in the Federal Sector
Henry B. Frazier III 1:70–76

Arbitration of a Complex Commercial Case: Practical Guidelines for Arbitrators and Counsel
William L. D. Barrett 4:15–23

The Arbitration of Interest Disputes: A Process in Peril
Arnold M. Zack 2:38–42

A Case Study in Cross-Cultural Mediation: The General Motors–Toyota Joint Venture
Douglas Henne, Marvin J. Levine, W. J. Usery, Jr., and Herbert Fishgold 3:5–15

Claims against the Sovereign and Its Instrumentalities: The Arbitration Agreement
H. Francis Shattuck, Jr. 2:7–20

The Duty of Fair Representation: Has the Arbitrator a Responsibility?
Jean T. McKelvey 2:51–58

Environmental Dispute Resolution: The First Ten Years
Gail Bingham and Leah V. Haygood 4:3–14

Federal Preemption of Suits for Wrongful Discharge under Illinois State Law
Sara McL. Green 4:46–59

A Guide to Improving Construction Contracts
James P. Groton 2:21–24

Health and Job Safety: An Analysis of Arbitration Decisions
Terry L. Leap, Jozetta H. Srb, and Paul F. Petersen 3:41–52

Lessons from Experience with Interest Arbitration in Nine Jurisdictions
Richard A. Lester 2:34–37

Mediation in Affirmative Action Conflict Management
Ben Falcigno 3:59–62

NLRB *v.* Bildisco and Bildisco *and the Legislative Aftermath: A New Frontier for Arbitrators?*
George S. Roukis and Bruce H. Charnov 2:43–50

The Ombudsman as Dispute Resolver in the Newspaper Industry
Sam Zagoria 2:3–6

Opening Remarks at the VIIIth International Arbitration Congress
Sol Wachtler 3:3–4

Payment and Performance Bond Coverages and Claims
John W. Hinchey 2:25–33

ANNUAL INDEX, VOL. 41, 1986

All information is cited according to the number corresponding to the month of issue (1 for March, 2 for June, 3 for September, and 4 for December), followed by the page numbers.

TABLE OF LEADING ARTICLES

Arbitration in the Federal Sector
Henry B. Frazier III 1:70–76

Arbitration of a Complex Commercial Case: Practical Guidelines for Arbitrators and Counsel
William L. D. Barrett 4:15–23

The Arbitration of Interest Disputes: A Process in Peril
Arnold M. Zack 2:38–42

A Case Study in Cross-Cultural Mediation: The General Motors–Toyota Joint Venture
Douglas Henne, Marvin J. Levine, W. J. Usery, Jr., and Herbert Fishgold 3:5–15

Claims against the Sovereign and Its Instrumentalities: The Arbitration Agreement
H. Francis Shattuck, Jr. 2:7–20

The Duty of Fair Representation: Has the Arbitrator a Responsibility?
Jean T. McKelvey 2:51–58

Environmental Dispute Resolution: The First Ten Years
Gail Bingham and Leah V. Haygood 4:3–14

Federal Preemption of Suits for Wrongful Discharge under Illinois State Law
Sara McL. Green 4:46–59

A Guide to Improving Construction Contracts
James P. Groton 2:21–24

Health and Job Safety: An Analysis of Arbitration Decisions
Terry L. Leap, Jozetta H. Srb, and Paul F. Petersen 3:41–52

Lessons from Experience with Interest Arbitration in Nine Jurisdictions
Richard A. Lester 2:34–37

Mediation in Affirmative Action Conflict Management
Ben Falcigno 3:59–62

NLRB *v.* Bildisco and Bildisco *and the Legislative Aftermath: A New Frontier for Arbitrators?*
George S. Roukis and Bruce H. Charnov 2:43–50

The Ombudsman as Dispute Resolver in the Newspaper Industry
Sam Zagoria 2:3–6

Opening Remarks at the VIIIth International Arbitration Congress
Sol Wachtler 3:3–4

Payment and Performance Bond Coverages and Claims
John W. Hinchey 2:25–33

Polygraphs: The Search for Truth in Arbitration Proceedings
Kimberly Janisch-Ramsey 1:34–41
Polygraph Tests: What Labor Arbitrators Need to Know
James B. Dworkin and Michael M. Harris 1:23–33
Punitive Damages in Commercial Arbitration
Donald L. Carper 3:27–33
Resolving Disputes in the Financial Community: Alternatives to Litigation
Joseph T. McLaughlin 3:16–26
The Role of Counseling in the Disciplinary Process
Stanley E. Kravit 4:60–62
Salary Arbitration in Baseball: An Impartial Assessment after Ten Years
James B. Dworkin 1:63–69
Sexual Harassment: The Impact of Meritor Savings Bank *v.* Vinson *on Grievances and Arbitration Decisions*
Jonathan S. Monat and Angel Gomez 4:24–29
Some Results of Reinstatement by Arbitration
William E. Simkin 3:53–58
Some Thoughts on Just Cause and Group Discipline
Marvin Hill, Jr., and Diana Beck 2:59–62
Statutory Expedited Grievance Arbitration: The Case of Ontario
Joseph B. Rose 4:30–45
A Survey of Grievance Arbitration Cases in Major League Baseball
Glenn M. Wong 1:42–62
To Argue, to Brief, Neither, or Both: Strategic Choices in Arbitration Advocacy
Tim Bornstein 1:77–81
UNCITRAL Model Law on Commercial Arbitration
Carl-August Fleischhauer 1:17–22
Understanding Construction Contracts: A Myriad of Special Clauses
Overton A. Currie and William E. Dorris 1:3–16
Wrongful Discharge in Britain: Lessons for the United States
Brian Heshizer and Nwabueze Okocha 3:34–40

BOOK REVIEWS

ALCOHOL-RELATED MISCONDUCT
Reviewed by Paul Basista 2:67
COLLECTIVE BARGAINING: HOW IT WORKS AND WHY
Reviewed by Anthony V. Sinicropi 3:63–64
COMMERCIAL DISPUTES SETTLEMENT IN CHINA
Reviewed by Charles Pettit 3:65
DISPUTE RESOLUTION
Reviewed by Robert Coulson 1:88
ESSENTIALS OF LABOR ARBITRATION: A PRACTICAL GUIDE TO THE PRINCIPLES AND PROCEDURES FOR SUCCESSFUL GRIEVANCE ARBITRATION
Reviewed by Arnold M. Zack 2:69–70
HOW ARBITRATION WORKS, 4th ed.
Reviewed by Oscar Ornati, Gabriel N. Alexander, Charlotte Gold, and Tim Bornstein 1:82–87
JUST CAUSE: THE SEVEN TESTS
Reviewed by Louis Yagoda 2:67–69
THE MANAGER'S GUIDE TO RESOLVING LEGAL DISPUTES
Reviewed by Robert Coulson 3:64–65
MANAGING FACULTY DISPUTES
Reviewed by Joel M. Douglas 2:63–65
THE MEDIATION PROCESS: PRACTICAL STRATEGIES FOR RESOLVING CONFLICT
Reviewed by Richard A. Salem 4:63–64
RESOLVING ENVIRONMENTAL DISPUTES: A DECADE OF EXPERIENCE
Reviewed by Gerald W. Cormick 4:64–66
TECHNIQUES OF MEDIATION
Reviewed by Harold M. Newman 2:65–66
LETTERS TO THE EDITOR 1:76
PRESIDENT'S LETTER 1:2, 2:2, 3:2, 4:2
RECENT ACQUISITIONS OF THE EASTMAN ARBITRATION LIBRARY
1:89–91; 2:71–74; 3:66–67; 4:67–70
REVIEW OF COURT DECISIONS
1:92–96; 2:75–80; 3:68–72; 4:71–75

SUBJECT INDEX

Adhesion contracts, 3:28
Affidavits, 4:21
Affirmative action, 3:59–62
Ambiguous contracts, 1:15–16
American Institute of Architects, 1:94; 2:23–25; 2:27
Arbitrability, 2:75–76; 3:69
Arbitration clauses, 2:7–20
Arbitration hearings, 4:18–22
Arbitrator fees, 4:33
Arbitrator immunity, 4:72–73
Auto industry, 2:5–15

Back pay, 3:49
Banking, 3:16–26
Bankruptcy, 2:43–50
Bankruptcy Amendment Act, 2:44; 2:46–47; 2:49–50
Bankruptcy Reform Act, 2:43
Baseball disputes, 1:42–62; 1:63–69
Briefs, 4:22–23
Burden of proof, 3:48–49

Canadian labor arbitration, 4:30–45
Chapter 11, 2:43–50
Claims against sovereigns, 2:7–20
Closing arguments, 4:22–23
Coerced evidence, 1:39–40
Commodity disputes, 3:21
Complex commercial cases, 4:15–23
Construction, 1:3–16; 2:21–24; 2:25–33
Contract interpretation, 1:15–16; 1:48–51
Contract modification, 1:4–5
Contract termination, 1:51–54
Counseling, 4:60–62

Diabetics, 3:44
Disabled employees, 3:41–52
Disciplinary grievances, 1:56–59; 2:59–62; 4:60–62
Discovery, 4:19–20
Documentary evidence, 4:21
Duty of fair representation, 2:51–58

Employee counseling, 4:60–62
Employment contracts, 1:42–62; 2:78; 4:74
Enforceability, 2:77–78
Environmental disputes, 4:3–14
Epileptics, 3:45–46
Evidentiary rulings, 1:95
Exculpatory clauses, 1:8–12
Expedited labor arbitration, 4:30–45

Fair representation, 2:51–58
Federal Arbitration Act, 2:18–29
Federal Bankruptcy Code, 2:44–50
Federal employees, 1:70–76
Federal Labor Relations Authority, 1:70–76
Final-offer arbitration, 1:65–68
Financial disputes, 3:16–26
Ford Foundation, 4:5–7
France's arbitration law, 2:13

General Motors, 3:5–15
Great Britain, 3:34–40
Grievance procedures, 1:44–62; 4:25–26; 4:30–45
Group discipline, 2:59–62

Health and safety, 3:41–52

Illinois law, 4:46–59
Insurance companies, 3:22–23
Interest arbitration, 2:34–37; 2:38–42
International arbitration, 1:17–22; 2:12–18
International Arbitration Congress, 2:3–4
International Centre for Settlement of Investment Disputes, 2:12; 2:17–18
International Chamber of Commerce, 2:14; 2:16–17
International joint ventures, 3:5–15
International mediation, 3:6–15

Japan, 3:5–15
Job safety, 3:41–52
Joint ventures, 3:5–15
Journalism disputes, 2:3–6
Just cause, 2:59–62

Labor–management disputes, 1:23–33; 3:5–15; 4:46–59
Labor Management Relations Act, 4:46–48; 4:50; 4:53–59
Liability provisions, 1:8–11
Locale of arbitration, 2:13–14

Mediation, 3:5–15; 3:59–62; 4:3–14; 4:34–35; 4:41–42
Medical malpractice, 3:27–29; 3:70
Miranda warnings, 4:72

National Institute for Dispute Resolution, 4:6–7
National Labor Relations Act, 2:43–47
National security, 1:25–27

Ombudsmen, 1:3–6
Ontario Labour Relations Act, 4:36–38; 4:40–45

Patent arbitration, 1:94
Payment bonds, 2:25–26
Performance bonds, 2:26–27
Personnel manuals, 4:51–52
Polygraph testing, 1:23–33; 1:34–41
Prehearing conferences, 4:17
Preliminary hearings, 4:18–19
Progress payments, 1:6–7
Punitive damages, 3:27–33

Racketeer Influenced and Corrupt Organizations Act, 4:71
Reinstatement, 3:36–38; 3:53–56
Representation in arbitration, 1:77–81; 2:51–58; 4:19–23
Retaliatory discharge, 4:48–50

Safety concerns, 3:41–52
Salary arbitration, 1:63–69
Securities disputes, 3:22
Sexual harassment, 4:24–29
Sovereign immunity, 2:19–20
Statutory arbitration, 4:30–45
Stipulations, 4:20
Sureties, 2:27–33

Timeliness, 3:69–70; 4:72
Toyota Motor Corp., 2:5–15

UNCITRAL law and rules, 1:17–22; 2:14–17
Unfair dismissal, 3:34–40; 3:53–58; 4:46–59
Uninsured motorists, 2:79; 3:71
United Automobile Workers, 2:5–15

Witness credibility, 4:26–27
Witness examination in arbitration, 4:20–21
Wrongful discharge, 3:34–40; 3:53–58; 4:46–59

INDEX OF AUTHORS

Barrett, William L. D., 4:15–23
Beck, Diana, 2:59–62
Bingham, Gail, 4:3–14
Bornstein, Tim, 1:77–81

Carper, Donald L., 3:27–33
Charnov, Bruce H., 2:43–50
Currie, Overton A., 1:3–16

Dorris, William E., 1:3–16
Dworkin, James B., 1:23–33; 1:63–69

Falcigno, Ben, 3:59–62
Fishgold, Herbert, 3:5–15
Fleischhauer, Carl-August, 1:17–22
Frazier, Henry B., III, 1:70–76

Gomez, Angel, 4:24–29
Green, Sara McL., 4:46–59
Groton, James P., 2:21–24

Harris, Michael M., 1:23–33
Haygood, Leah V., 4:3–14
Henne, Douglas, 3:5–15
Heshizer, Brian, 3:34–40
Hill, Marvin, Jr., 2:59–62
Hinchey, John W., 2:25–33

Janisch-Ramsey, Kimberly, 1:34–41

Kravit, Stanley E., 4:60–62

Leap, Terry L., 3:41–52
Lester, Richard A., 2:34–37
Levine, Marvin J., 3:5–15

McKelvey, Jean T., 2:51–58
McLaughlin, Joseph T., 3:16–26
Monat, Jonathan S., 4:24–29

Okocha, Nwabueze, 3:34–40

Petersen, Paul F., 3:41–52

Rose, Joseph B., 4:30–45
Roukis, George S., 2:43–50

Shattuck, H. Francis, Jr., 2:7–20
Simkin, William E., 3:53–58
Srb, Jozetta H., 3:41–52

Usery, W. J., Jr., 3:5–15

Wachtler, Sol, 3:3–4
Wong, Glenn M., 1:42–62

Zack, Arnold M., 2:38–42
Zagoria, Sam, 2:3–6

CASE INDEX

COMMERCIAL
AMF, Inc. v. Brunswick Corp., 2:80 [consent decree]
Beriker v. Permagrain Products, Inc., 2:76 [manufacturing contract]
Bernard v. Kuhn, 3:70 [shareholders' agreement]
Carr v. Trotta, 4:72
Grane v. Grane, 4:72–73 [family businesses]
Heffner v. Jacobson, 2:76–77 [sale contract]
IFG Leasing Co. v. Snyder, 3:71 [leasing agreement]
Imptex International Corp. v. Lorprint, Inc., 3:72 [sale contract]
Mobil Oil Corp. v. Exxon Corp., 3:70–71 [leasing agreement]
Raytheon Co. v. Computer Distributors, Inc., 4:74
Rosenbloom v. Mecom, 2:78 [employment contract]
Taylor v. Nelson, 3:69–70 [performance contract]

CONSTRUCTION
Austin v. Stovall, 1:93
Cost Brothers, Inc. v. Travelers Indemnity Co., 1:93–94
District Moving & Storage Co., Inc. v. Gardiner & Gardiner, Inc., 3:71–72
Kaiser Cement Corp. v. Fischbach & Moore, Inc., 4:73

LaFarge Conseils et Etudes, S.A. v. Kaiser Cement & Gypsum Corp., 4:73
MJM, Inc. v. Tootoo, 2:79
Manchester Township Board of Education v. Thomas P. Carney, Inc., 1:95
Maryland Casualty Co. v. Department of General Services, 4:74
Naclerio Contracting Co., Inc. v. City of New York, 3:68
Omega Construction Co., Inc. v. Altman, 3:68
Torcon, Inc. v. Alexian Brothers Hospital, 2:80
Twin Towers Associates v. Gilbert Switzer & Associates, 1:95

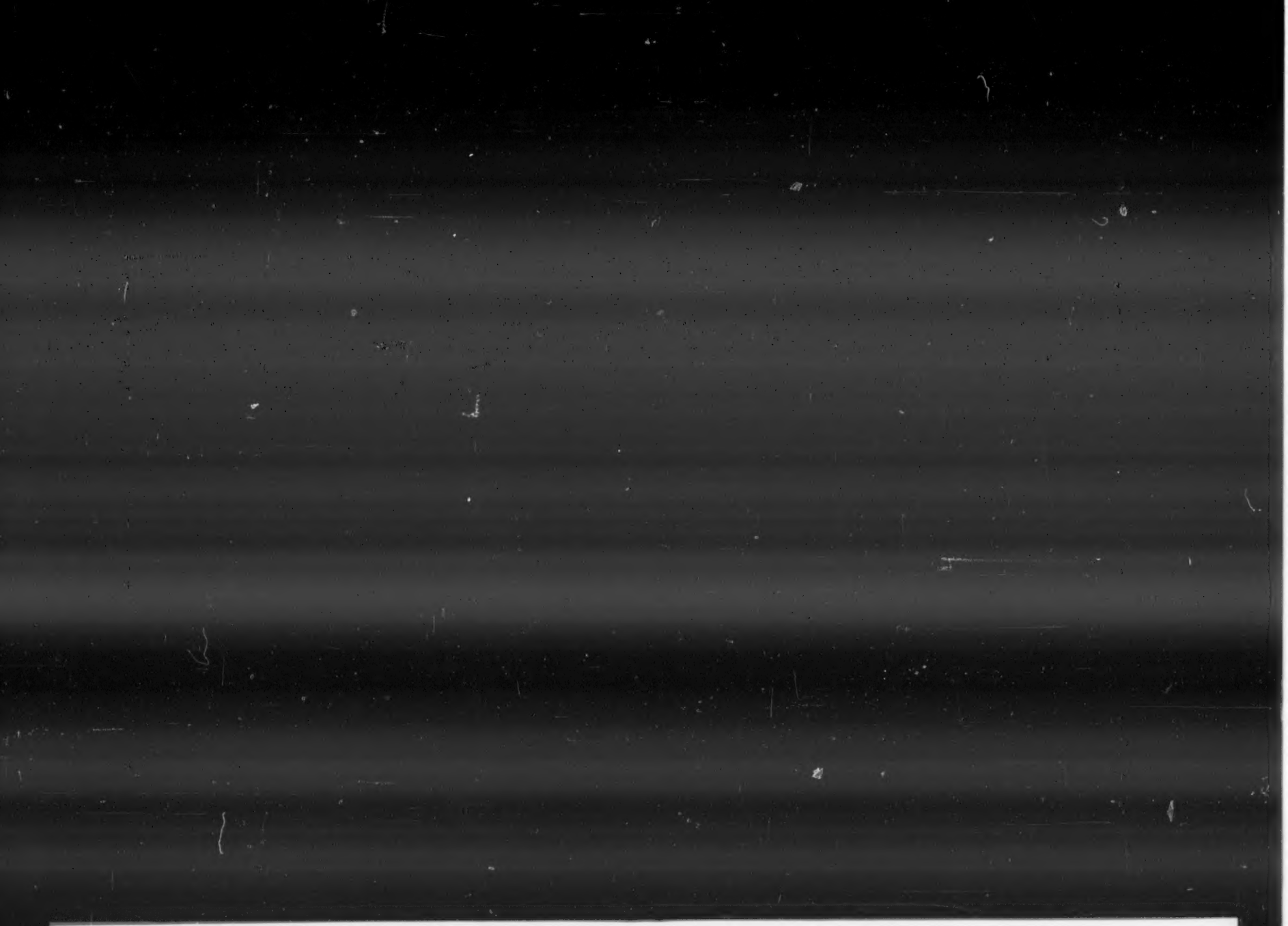
INSURANCE
Reichel v. Government Employees Insurance Co., 2:79
Roggio v. Nationwide Mutual Insurance Co., 2:78–79
Rose v. Travelers Insurance Companies, 3:71
Ruff v. Metropolitan Property and Liability Insurance Co., 4:72

INTERNATIONAL
Development Bank of the Philippines v. Chemtex Fibers, Inc., 2:75
Faberge International, Inc. v. DiPino, 1:92
Matter of Transatlantic Bulk Shipping, Ltd. (Saudi Chartering, S.A.), 2:77
Oil Basins, Ltd. v. Broken Hill Proprietary Co., Ltd., 1:92–93
Oriental Commercial and Shipping Co., Ltd. v. Rosseel, N.V., 1:92
Rhone–Poulenc Specialités Chimiques v. SCM Corp., 1:94

LABOR
AT&T Technologies, Inc. v. Communications Workers of America, 3:69
American Postal Workers Union, AFL–CIO v. United States Postal Service, 4:73
Chicago Teachers Union Local 1 v. Hudson, 3:68–69
Dryer v. Los Angeles Rams, 2:77
Local Division 732, Amalgamated Transit Union v. Metropolitan Atlanta Rapid Transit Authority, 1:93
Matter of Fallon (Greater Johnstown School District), 3:69
Misco, Inc. v. United Paperworkers International Union, 1:94–95

MARITIME
Matter of Sedco, Inc. (Petroleos Mexicanos), 1:96
Metallgesellschaft A.G. v. M/V Capitan Constante, 4:71–72
State Establishment for Agricultural Product Trading v. M/V Wesermunde, 1:95–96

MEDICAL MALPRACTICE
Victoria v. Superior Court, Los Angeles County, 3:70

SECURITIES
Finkel & Ross v. A.G. Paribas, Inc., 2:75–76
Hope v. Dean Witter Reynolds Organization, Inc., 4:74–75
Lewis v. Merrill Lynch, Pierce, Fenner & Smith, Inc., 4:75
Lewis v. Prudential Bache Securities, Inc., 4:75
McMahon v. Shearson/American Express, Inc., 4:71
Tonetti v. Shirley, 2:78
West v. Drexel Burnham Lambert, Inc., 2:75

TORTS
In re "Agent Orange" Product Liability Litigation, 1:94